

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ERIC TRAVIS,

Plaintiffs,

v.

AMERIHOM MORTGAGE COMPANY  
LLC,

Defendants.

Case No. 1:23-cv-01267-KES-SAB

ORDER IMPOSING DAILY SANCTION OF  
\$50 PER DAY FOR FAILURE TO SHOW  
CAUSE IN WRITING

(ECF No. 24)

A scheduling conference in this action was set for October 3, 2024 at 10:00 a.m., before the undersigned. (ECF No. 18.) Counsel for Plaintiffs failed to appear at the scheduling conference.

On October 3, 2024, the Court ordered that Plaintiff show cause in writing within three days why sanctions should not issue for the failure by counsel to make any appearance at the scheduling conference.

As stated in the order to show cause, Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions ... within the inherent power of the Court.” The Court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal of the action. Bautista v. Los Angeles Cnty., 216 F.3d 837, 841 (9th Cir. 2000).

1 Plaintiff failed to appear at a mandatory scheduling conference and has now not  
2 responded to this Court's order requiring him to address counsel's absence. In order to gain  
3 Plaintiff's compliance, the Court shall order sanctions of \$50.00 per day to be paid to the Clerk  
4 of the Court until Plaintiff complies with the Court's prior order. The Court shall require  
5 Plaintiff to file a response to the order to show cause by 5:00 p.m. today. If Plaintiff fails to file  
6 the document in compliance with this order, the Court shall impose monetary sanctions in the  
7 amount of \$50.00 per day, beginning on October 9, 2024.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. Plaintiff shall respond to the Court's order to show cause in writing (ECF No. 24)  
10 by **5:00 p.m. on October 8, 2024**; and
- 11 2. If Plaintiff fails to comply with this order, Plaintiff and Plaintiff's counsel shall  
12 jointly and severally be obligated to pay the Clerk of the Court \$50.00 per day,  
13 **beginning on October 9, 2024**, until Plaintiff files a compliant response to the  
14 Court's order.

15 IT IS SO ORDERED.

16 Dated: **October 8, 2024**

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19 UNITED STATES MAGISTRATE JUDGE  
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